

Amendment No. 1 to HB1040

Keisling
Signature of Sponsor

AMEND Senate Bill No. 798*

House Bill No. 1040

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-4-103(a), is amended by designating the existing language as subdivision (1) and adding the following new subdivision (2):

(2)

(A) It is an offense for any member of the general assembly or any entity in which a member of the general assembly has a controlling interest to bid on, sell, or offer for sale, any service to the state during the tenure of such member's office, or for six (6) months thereafter.

(B) Subdivision (a)(2)(A) does not apply to:

(i) Employment contracts, including indigent defense contracts, unless otherwise prohibited by the Constitution of Tennessee; or

(ii) Fulfillment of a contract for services entered into prior to the member's election to the general assembly.

(C) For purposes of this subdivision (a)(2):

(i) "Compensation" means any salary, fee, payment, reimbursement or other valuable consideration, or any combination thereof; and

(ii) "Service" means any work, labor, or assistance provided in exchange for compensation paid or to be paid by the state.

SECTION 2. Tennessee Code Annotated, Section 12-4-103, is amended by adding the following language as a new subsection:

(d)

(1) Every person who is convicted under subdivision (a)(2) shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

(2) If at the time of conviction for an offense specified in subdivision (a)(2), the person still holds an office under the constitution of this state, this section shall apply to such person at the end of the person's term of office, unless otherwise expelled from office prior to that time.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.